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A.D.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/411,400 10/04/99 GELLERT

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EXAMINER

SMITH, S

ART UNIT

PAPER NUMBER

3729

DATE MAILED:

06/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/411,400

Applicant(s)

Gellert

Examiner

Smith

Group Art Unit

3729



☒ Responsive to communication(s) filed on Feb 20, 2001

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 16-21, 23-26, and 52-56 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 16-21, 23-26, and 52-56 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 19, 16, 24-26, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gellert in view of Gellert (5051086).

Regarding claims 19, 16, 24-26 and 53 Gellert discloses a injection molding apparatus comprising: a nozzle (10) with a heater element (64), and inner portion having a melt bore (58) extending therethrough, and a tip insert (122) metallurgically bonded to the front end of the inner portion (column 5 ln 45-48). Gellert fails to disclose the the first and second brazing material being different materials.

Gellert (5051086) discloses a first and second brazing material (column3 ln. 38-45) and (column 3 ln 54-60) that connects the tip insert (80) and heating element (88).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Gellert 283' with that of Gellert 086' to provide a securement means at separate ends of the apparatus, since a means for attaching two mating parts are known. The bonding process at the tip would create a stronger bond between the inner portion and the

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tip. Furthermore using different types of brazing material is known to one of ordinary skill in the art, since the heating requirements at the tip would need to be higher since the tip is doing the work at hand.

Regarding claims 18 and 26, Gellert discloses the heating element (64) is integrally brazed into the spiral grooves (38) extending around the outer surface of the inner portion (column 5 ln 56-67).

Regarding claims 20,21,52 and 54-56 Gellert discloses the tip insert (122) has at least one tapered front tip (22) extending outward.

Regarding claims 22 and 23, where Gellert is relied upon as above for disclosing injection apparatus comprising: a nozzle (10) with a heater element (64), and inner portion having a melt bore (58) extending therethrough, and a tip insert (122) metallurgically bonded to the front end of the inner portion. Gellert discloses the tip portion and collar portion using a first and second brazing material (column 5 ln 45-55).

Response to Arguments

3. Applicant's arguments with respect to claims 19,16-24 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

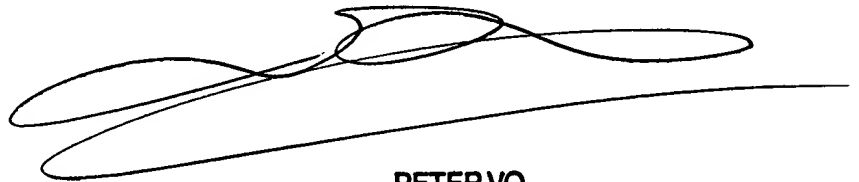
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Smith whose telephone number is (703) 305-0831. The examiner can normally be reached on Monday thru Friday from 6:30 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo, can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7058.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

SS

November 29, 2001

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the bottom.

**PETER VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700**